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IN PRAISE OF  
EXCELLENCE IN  
PUBLIC EDUCATION

MELBOURNE HIGH SCHOOL  
ANNUAL SPEECH NIGHT 2009.  
EXHIBITION CENTRE, MELBOURNE  
TUESDAY 1 DECEMBER 2009.

The Hon. Michael Kirby AC CMG

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I praise the achievements of Melbourne High School and the students who win (and those who do not win) prizes at this speech night. I praise their parents and families for supporting them. Without such support they would not reach their potential. I praise the teachers for their devoted work, enlivening young minds to the wonders of knowledge. Opening consciousness to unexpected thoughts and new ideas. I praise the support staff who helped to make most things possible. Above all, I praise this famous school for its outstanding contributions to Australia.

I am here to applaud public education and the central ideas that accompanied its spread throughout Australia in the 1870s and 80s. What a debt Australia owes to the founders of public education. They had to face strong opposition at the time, mainly from churches and private investors that had earlier enjoyed predominance in colonial schooling. Public education had to negotiate compromises by which limited classes for “scripture” were permitted as a trade off for non-denominational education. It had to endure the scoffing of those who thought that education was properly a privilege only for the wealthy and

that public schools were the dire results of “socialism”. But in the late 19<sup>th</sup> century, a great movement swept Australia to establish the public education system. It was a movement that coincided with Australia’s advance to federation. It was anchored in three great principles stated in the early *Public Education Acts*. It would be free, compulsory and secular.

A large part of the success story of Australia as a modern nation can be traced to the establishment of public schools across our continental country, based on these principles. To them, in the 20<sup>th</sup> century, were added two more principles. These involved the inculcation of the values of egalitarian democracy, upon which our federal government was founded. And the embrace of the principle of excellence, so that public education would offer schools as good as, and better than, the most expensive private and religious schools.

During my 13 years of service on the High Court of Australia, completed earlier this year, I was, for most of the time, the only Justice whose entire education was received in public schools. Now Justice Susan Keiffel is in the same position. One out of seven. Like Prime Minister Rudd, Prime Minister Howard and Prime Minister Hawke, I was educated in public schools.

In my case, I attended the local infants’ school at North Strathfield in Sydney. Later I graduated to the “big school” in the 1880s building that still stands on Concord Road. My years there coincided with the closing battles of the Second World War and the post-war years. We later lived under the mushroom cloud that burst over Hiroshima in 1945. I had wonderful teachers and also the stimulus of a cross-section of the

Australian children of those days. We were a reflection of White Australia, as we waved the Union Jack to the parade of khaki ambulances travelling up the road outside the school to the Repatriation General Hospital nearby. It was a different era. However, the quality of education was outstanding. My debt to my teachers and to my fellow students is deep. I never cease to acknowledge it.

In 1949, sixty years ago, as a result of intelligence and aptitude tests, I was transferred to the Summer Hill Opportunity School, five miles from my home. In New South Wales, since the 1930s, the public education system has offered an extensive system of selective primary schools for children, chosen for special support because of identified gifts and talents. These special schools exist throughout the Sydney metropolitan area and in some parts of country and regional New South Wales. They are feeders to a large and growing network of selective public high schools, established in the State under successive State governments.

At Summer Hill, I received the standard education. But to it were added well-designed courses aimed at encourage particular interests in mathematics and English, drama and music, drawing and visits at a young age to the institutions of government. At the end of 1950, based on my performance, I was accepted into Fort Street Boys' High School in Sydney. It is one of equivalents in New South Wales to Melbourne High. Fort Street School is, in fact, the oldest public school still operating in Australia and it is now coeducational. In its earliest form, the school was established in 1849. Only one school in our nation is older: the King's School, now at Parramatta, Sydney.

In my high school, we were constantly reminded of our famous *alumni*, of their public service and of our obligation to go and do likewise. Sir Edmund Barton, Sir Douglas Mawson, Dr. H.V. Evatt, Sir Garfield Barwick. The list was very long and we were proud of it. I still am.

Earlier this year, my eyes caught the lead item in the *Sydney Morning Herald*<sup>1</sup> on how an outstanding Australian scientist, dropped by President G.W. Bush from the United States Council on Bioethics, was awarded the 2009 Nobel Prize for Medicine. She won the prize for her participation in the discovery of telomeres, enzymes that protect chromosomes in human body cells. Her discovery raises the prospects of important breakthroughs in the treatment of cancerous cells. The report stated that the Laureate, Elizabeth Blackburn, born in Tasmania, had come to Melbourne and attended University High School. She topped the State of Victoria in three matriculation subjects. So she is a Nobel laureate, educated in public schools. Let us honour her tonight and her teachers.

Earlier, Sir John Eccles, who won the Nobel Prize in 1963 for physiology, was educated at Warrnambool and Melbourne High Schools. Sir John Cornforth, Nobel laureate in 1975, was educated at Sydney Boys' High School. Professor Peter Doherty, Nobel laureate in medicine in 1996, was educated at Indooroopilly High School in Queensland. These are striking, objective, accolades for the products of public education in Australia. We need to remind ourselves of them when celebrating the latest successes of public schools in 2009.

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<sup>1</sup> A. Darby "Outspoken Australian Scientist Dropped by Bush Wins Nobel", *Sydney Morning Herald*, 6 October 2009, 1.

I am fed up with media, and some politicians, criticising public education in Australia. I am fed up with suggestions that public schools neglect education in values. I am fed up when I go to wealthy private schools, with substantial supplementary funding, and I see the neglect of the facilities of famous public high schools<sup>2</sup>. Canterbury Boys' High School, in Sydney, was the school of the former Prime Minister, John Howard. A principal of a fine private school said to me recently that, in most other countries, the high school of a former Prime Minister would be celebrated and well endowed. Yet the funds in Australia tend to flow in other directions. My own old school in Sydney, Fort Street, lacks the swimming pools, manicured lawns and overpayments that seem to have flowed away from public schools. I hope that this attrition will end and soon. It is unjust. It is certainly undeserved, as the record of public school achievements demonstrate. The schools where 63% of Australians are educated deserve better. The time has come for all citizens to make it clear that they demand an end to the underfunding of public education: where the future of the nation is chiefly written.

No one doubts the value of private and religious schools. Advocates of public education accept that choice is important. Pupils in private schools are Australians too. Their parents are taxpayers. Some competition in education is a good thing for public schools. Australian Nobel laureates have also been educated at private schools. However, an imbalance has crept in. It behoves those who enjoyed the benefits of public education to speak up for the schools that educate the majority of

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A. Patty, "Private Schools Win Special Cash Bonuses", *Sydney Morning Herald*, 29-30 August 2009, 3. This reported that private schools will receive up to \$23 million each in federal over-payments over the next four years because of a commitment given by the previous government. Some such schools will receive up to \$15 million more than their entitlement under the funding formula that measures need according to socio-economic status. An internal Department of Education review in December 2006 reported that such special funding arrangements "entrench purely historical inequities". It was stated that the arrangements would be reviewed in 2010 before the next four year funding cycle.

citizens. They provide the melting pot of all races, cultures, religions and intellectual abilities. These are the schools that need vocal advocates and lobbyists to put their case to government.

It constantly amazes me that leaders of government in Australia, who have themselves benefitted from public education, go along with inequity in the distribution of public funds for schooling. Parents and citizens in public schools must learn the arts of advocacy. They must blog, twitter, text, lobby and argue. Be sure that the lobbyists for private and religious schools are highly skilled and well organised. They have certainly been more than rewarded in recent years. For the children in the nation's public schools, this lack of balance must stop.

## **IN PRAISE OF EXCELLENCE**

I said that two values were added to public education's core principles in the twentieth century, namely democracy and excellence. I want to speak in praise of excellence. This outstanding school, year after year, produces some of the best in secondary education in Victoria. Its students go on to fame and fortune at university, in the sciences and professions. But why has Victoria not established a full network of such schools? Why are there no primary opportunity schools in Victoria for gifted and talented students? Why are there so few selective high schools in the public system: with only Melbourne High, University High and MacRobertson Girls' High remaining from earlier times? Several other such schools were established in the 1920s and 30s; but they did not survive the Second World War. Even University High School lost its full selective status in the 1970s. Whose enmity or political correctness extinguished these special schools that added such diversity and excellence to the public system?

I have never received satisfactory answers to these questions. Some opponents argue that creating selective schools diminishes the egalitarianism of public education. It does nothing of the sort. It is recognised that, within the egalitarian and democratic ethos of public schools, gifted students have certain special educational needs and therefore entitlements. A society questing for its own excellence, will invest in their advancement. There must be more Eccles, Dohertys, Conforths and Blackburns. Creative minds have special needs. A wise society invests in them.

Sometimes it is said that there are differences over the criteria for selection. Let it be so. But if it can be so successful in a small handful of such schools, like Melbourne High School, the model needs to be spread more equitably to the outer suburbs and to regional and rural areas of the State. Putting it bluntly, it is not good enough for Melbourne High to rejoice almost alone in its success. It should long since have become the flagship and stimulus for many similar schools as Fort Street High and Sydney High Schools did in New South Wales. It must do this now. This is a right of students and of their parents. It also happens to be good for public education and for our society.

Next, it is said that education bureaucrats and unions do not like it. Well, they should have a voice; but not the final say. Diversification will help to arrest the drift of pupils to better funded private schools. Success will breed success. The parents and students of this great school must lift their voices for the other students of this State who have lost the chance to get into similar schools, as is their right in New South Wales. These are rights of citizenship. Melbourne High must support them.

Finally, and most unpersuasively, it is said that in Victoria unlike in New South Wales there are many scholarships that take clever students into private and religious schools. Yet such students have a right to the whole range of education in public schools, including education for the gifted and talented. Relying on scholarships to private schools is a confession of the failure of public education to deliver for those students.

Not before time the State of Victoria is re-visiting selective schools. It should do so urgently to ensure the ongoing strength and excellence of public education. It should do so to further the precious aims of education that is free, compulsory and secular, democratic and excellent, suitable for all according to their talents. Ultimately, what is at stake is the future role of students from public education in the exercise of power in our country. Give them excellence and they will take it through life into positions of responsibility and influence. They will bring with them the values of public schools. In the High Court of Australia there will be more than one *alumnus*. And in other branches of government, in business, the arts, universities and international bodies, people trained in Australia's public schools will reflect the principles of secularism, tolerance, democracy and excellence that lie at the core of public education in this country. The best of them will never forget the students and teachers with whom they shared the precious years of education. These special experiences gave me a life-long dedication to community involvement, social justice, equality of opportunity and human rights for all.

In fifty years time, when the students who graduate tonight have run their course, served their country and the world as leaders and

examples, I hope that they will not have to reproach themselves for turning their backs on the public schools that nurtured them. Wherever life takes today's students, they should not forget the benefits of the education received from Australia's public schools and Melbourne High. And they should always remember this crucial lesson. Applauding Melbourne High School, they should insist on similar opportunities for thousands of fellow students. A handful is good. But it is not good enough. Lift your voices. Raise them in praise of excellence in public education. Stand for duty. Stand for right.

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